

# EXECUTIVE COUNCIL OF IOWA

## MINUTES

### JANUARY 25, 2021

The Executive Council met in regular session at 10:00 a.m. via conference call as a meeting in person was impractical due to the Governor's State of Public Health Disaster Emergency Proclamation. Governor Kim Reynolds presided over the meeting. Secretary Paul Pate, Auditor of State Rob Sand, Treasurer of State Michael Fitzgerald and Secretary of Agriculture Michael Naig were present

Regular Session  
January 25, 2021

Moved by Secretary Pate and seconded by Secretary Naig that the Council approve the minutes of the Executive Council Meeting on January 11, 2021.

Minutes Approved

The vote:      Ayes:              Governor Reynolds  
   Secretary Pate  
   Auditor Sand  
   Treasurer Fitzgerald  
   Secretary Naig  
                         Nays:              None

Moved by Treasurer Fitzgerald and seconded by Auditor Sand that the Council approve the request from the Attorney General's Office for payment of Expenses Under Iowa Code §7D.10 in the amount of \$19,200.00 for prosecuting cases under Iowa Code chapter 229A.

Approved Iowa  
Code §7D.10

The vote:      Ayes:              Governor Reynolds  
   Secretary Pate  
   Auditor Sand  
   Treasurer Fitzgerald  
   Secretary Naig  
                         Nays:              None

Moved by Auditor Sand and seconded by Secretary Naig that the Council approve the request from the Department of Justice, Attorney General's office as follows:

Approved Outside  
Counsel

- A. The Department of Justice, Attorney General's office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Bryson Powell v. Glenwood Resource Center, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.  
Attorney: Ryan Clark  
505 5<sup>th</sup> Avenue  
Suite 729  
Des Moines, IA 50309  
Rate: \$140.00 Per Hour

The vote: Ayes: Governor Reynolds  
Secretary Pate  
Auditor Sand  
Treasurer Fitzgerald  
Secretary Naig  
Nays: None

Moved by Secretary Naig and seconded by Treasurer Fitzgerald that the Council approve the request from the Department of Justice, Attorney General's office as follows:

- B. The Department of Justice, Attorney General's office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Santos Zamora De Minchoca v. University of Iowa, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.  
Attorney: Ryan Clark  
505 5<sup>th</sup> Avenue  
Suite 729  
Des Moines, IA 50309  
Rate: \$140.00 Per Hour

The vote: Ayes: Governor Reynolds  
Secretary Pate  
Auditor Sand  
Treasurer Fitzgerald  
Secretary Naig  
Nays: None

Moved by Auditor Sand and seconded by Secretary Naig that the Council approve the request from the Department of Justice, Attorney General's office as follows:

Approved Special  
Counsel

- A. The Department of Justice, Attorney General's office requests retention of special counsel pursuant to Iowa Code section 13.7 to provide specialized legal services to State Agencies with respect to issues related to the professional licensure of State employees.

Firm: Finley Law Firm  
Attorneys: Connie Diekema and Jack Hilmes  
669 Walnut Street  
Suite 1700  
Des Moines, Iowa 50309  
Rate: \$235.00 Per Hour

The vote: Ayes: Governor Reynolds  
Secretary Pate  
Auditor Sand  
Treasurer Fitzgerald  
Secretary Naig  
Nays: None

Moved by Auditor Sand and seconded by Secretary Naig that the Council approve the following emergency allocations:

Approved  
Emergency  
Allocations

- A. Department of Natural Resources requested an emergency allocation in the amount of \$12,077.53. On March 21, 2019, March 25, 2019 and July 11, 2019, flooding caused damages at Various Wildlife Management Areas within the Great Lakes Wildlife Unit.

The vote: Ayes: Governor Reynolds  
Secretary Pate  
Auditor Sand  
Treasurer Fitzgerald  
Secretary Naig  
Nays: None

Moved by Auditor Sand and seconded by Treasurer Fitzgerald that the Council approve the following cost items:

Approved Payment  
of Cost Items

- A. Richard J. Bennett, Sr.....\$5,142.00  
PO Box 65666  
West Des Moines, IA 50265  
Special Counsel for the Criminal Appeals Division of the Iowa Attorney  
General's Office

B.	Gray Miller Persh, LLP.....	\$655.50
	2233 Wisconsin Avenue NW	
	Suite 226	
	Washington, D.C. 20007	
	<u>Iowa PBS</u>	
C.	Michael Marquess.....	\$5,000.00
	2183 Docks Drive	
	Garwin, IA 50632	
	<u>Tribal cases when the offenses are committed by non-natives against non-natives</u>	
	<u>(or without a victim) on the Sac and Fox Indian Settlement in Tama County</u>	
D.	Davis Brown Law Firm.....	\$854.00
	215 10th Street, Suite 1300	
	Des Moines, IA 50309-3993	
	<u>Unclaimed Property Probate Matters &amp; Employee Retirement Income Security</u>	
	<u>Act (ERISA)</u>	
E.	Patterson Law Firm L.L.P.....	\$252.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Debra J. Breckenridge v. Iowa Judicial Branch, State of Iowa and Second Injury</u>	
	<u>Fund of Iowa</u>	
F.	Patterson Law Firm L.L.P.....	\$898.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Kristi Brown v. Iowa Department of Corrections, State of Iowa and Second Injury</u>	
	<u>Fund of Iowa</u>	
G.	Patterson Law Firm L.L.P.....	\$28.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Melody Colvin v. Woodward Resource Center, State of Iowa and Second Injury</u>	
	<u>Fund of Iowa</u>	
H.	Patterson Law Firm L.L.P.....	\$42.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Kent Daugherty v. Iowa State Fair Authority and State of Iowa and Second Injury</u>	
	<u>Fund of Iowa</u>	

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| I. | Patterson Law Firm L.L.P.....\$252.00<br>729 Insurance Exchange Building<br>505 Fifth Avenue<br>Des Moines, IA 50309-2390<br><u>Robert Kurtz v. Iowa Department of Transportation and State of Iowa and Second Injury Fund of Iowa</u>    | \$252.00 |
| J. | Patterson Law Firm L.L.P.....\$122.00<br>729 Insurance Exchange Building<br>505 Fifth Avenue<br>Des Moines, IA 50309-2390<br><u>Jacquie M. LeClair v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa</u> | \$122.00 |
| K. | Patterson Law Firm L.L.P.....\$14.00<br>729 Insurance Exchange Building<br>505 Fifth Avenue<br>Des Moines, IA 50309-2390<br><u>Larry Opal v. Clarinda Correctional Facility, State of Iowa and Second Injury Fund of Iowa</u>             | \$14.00  |
| L. | Patterson Law Firm L.L.P.....\$12.00<br>729 Insurance Exchange Building<br>505 Fifth Avenue<br>Des Moines, IA 50309-2390<br><u>Mark Ostring v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa</u>                 | \$12.00  |
| M. | Patterson Law Firm L.L.P.....\$504.00<br>729 Insurance Exchange Building<br>505 Fifth Avenue<br>Des Moines, IA 50309-2390<br><u>Richard Warner v. Anamosa State Penitentiary, State of Iowa and Second Injury Fund of Iowa</u>            | \$504.00 |
| N. | Patterson Law Firm L.L.P.....\$672.00<br>729 Insurance Exchange Building<br>505 Fifth Avenue<br>Des Moines, IA 50309-2390<br><u>Richard Warner v. Anamosa State Penitentiary, State of Iowa and Second Injury Fund of Iowa</u>            | \$672.00 |

Trenton V. Wensel v. IMMC, State of Iowa and Second Injury Fund of Iowa

Nays:               None

Meeting adjourned

Nays:                None

Vicioria Fwotom

Victoria Newton  
Executive Secretary